

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: C.R. BARD, INC.
PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION

MDL No. 2187

Lois Watkins, et al. v. Sofradim Production SAS

2:12-cv-02691

MEMORANDUM OPINION AND ORDER

Pending is Defendant's Motion to Dismiss, filed by the remaining defendant in this case, Sofradim Production SAS ("Sofradim") on March 23, 2018. [ECF No. 15]. Sofradim cites to repeated failures by plaintiffs to comply with a wide variety of Pretrial Orders. Plaintiffs have not responded to this motion.

The court finds, pursuant to Rules 16 and 37 of the Federal Rules of Civil Procedure and after weighing the factors identified in *Wilson v. Volkswagen of Am., Inc.*, 561 F.2d 494, 503-06 (4th Cir. 1977), this cases should be dismissed without prejudice for failure to comply with various deadlines in compliance with the court's previous pretrial and other orders.

Therefore, the court **ORDERS** that the motion to dismiss [ECF No. 15] is **GRANTED in part** to the extent Sofradim is dismissed and **DENIED insofar as Sofradim seeks dismissal with prejudice**. The court **ORDERS** that the case is dismissed without prejudice and stricken from the court's docket.

The court **DIRECTS** the Clerk to send a copy of this order to counsel of record.

ENTER August 9, 2019


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE